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NASHVILLE, TENNESSEE 37203

RECEIVED
FEDERAL ELECTION
COMMISSION

2010 AUG 30 AM 10: 12

OFFICE OF GENERAL
COUNSEL
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WILLIAM M. OUTHIER
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August 26, 2010

Via Facsimile and Federal Express

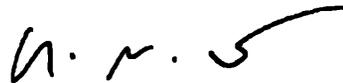
Jeff S. Jordan
Supervising Attorney
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 6325

Dear Mr. Jordan:

Enclosed please find Hartline for Congress 2010's Response in the above-referenced Matter Under Review. If you have any questions, please do not hesitate to call.

Very truly yours,



William M. Outhier

WMO/mbs

Enclosure

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IN THE FEDERAL ELECTION COMMISSION 2010 AUG 30 AM 10: 12

WILLIAM VERNON FREDERICK)
)
COMPLAINANT,)
)
v.)
)
JEFF HARTLINE and)
JEFF HARTLINE FOR CONGRESS 2010,)

OFFICE OF GENERAL
COUNSEL

MUR #6325

RESPONSE

Jeff Hartline and Jeff Hartline for Congress 2010 (the "Campaign") respond to Complainant's Complaint as follows:

INTRODUCTION

On July 15, 2010, the Campaign became aware that its yard signs and billboards did not have a proper disclaimer. The Campaign acted immediately to print stickers and place them on hundreds of signs in the office and even more signs already in the field. The Campaign also contacted the vendor responsible for the one billboard in place and had corrective language placed on it. The second ad was scheduled to cycle off an electronic billboard on or about July 15 and did not need to be remedied. While the Campaign does not deny that these public communications were without a proper disclaimer for a short period of time, the problem was quickly rectified and controls were subsequently put in place to prevent the problem from occurring again.

STATEMENT OF FACTS

1. The Campaign formed on or about January 5, 2010. See *Statement of Organization* filed January 19, 2010 attached as Ex. 1.
2. During the course of the campaign, the Campaign ordered approximately 1,200 yard signs. On or about June 12, 2010, the Campaign launched a series of events publically

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announcing Jeff Hartline's candidacy. At the same time, the Campaign began to distribute yard signs. Affidavit of Wesley Hartline ("Hartline Aff.") attached as Ex. 2 at ¶ 5.

3. Shortly thereafter, the Campaign began running an advertisement on an electronic billboard at 2922 West End Avenue in Nashville, Tennessee. That billboard ran for approximately one month and ceased running approximately July 15, 2010. *Id.* at ¶ 10.

4. On or about July 1, 2010 the Campaign began advertising on a billboard located at 4114 Hillsboro Road in Nashville, Tennessee. *Id.* at ¶ 7.

5. The yard signs and the billboards did not contain disclaimer language indentifying the source of funding of the public communications. *Id.* at ¶ 3.

6. On July 15, 2010, the Wesley Hartline, Field Director for the Campaign, saw a message board post in the Internet claiming that the Campaign's yard signs were not in compliance with FEC regulations. This was the first time that the Campaign became aware of the deficiency. *Id.*

7. That day, the Campaign printed stickers containing the phrase "Paid for by Hartline for Congress 2010, Phil Meadows, Treasurer." *Id.* at ¶ 4.

8. The Campaign affixed those stickers on approximately 379 yards signs in the Campaign office that had yet to be distributed. *Id.* The Campaign dispatched volunteers into the field to affix stickers on approximately 821 signs that had already been distributed. *Id.* The Campaign was able to remedy at least 75-80% of the signs that had already been placed in the field. *Id.*

9. Photographs of the corrected signs are attached as Exhibit A to the Affidavit of Wesley Hartline.

10. On July 15, the Campaign also contacted the vendor maintaining the billboard at 4114 Hillsboro Road. Hartline Aff. at ¶ 7. Attached as Exhibit B to the affidavit of Wesley Hartline is a photograph of the corrected billboard.

11. The Campaign subsequently sent a letter to the FEC notifying it of the corrective action that had been taken. Hartline Aff. at ¶ 8.

12. After receiving the email and correcting the yard signs and billboard, the Campaign made it a policy to run public communications by legal counsel. *Id.* at ¶ 9.

ARGUMENT

The FEC has dismissed similar actions as low priority pursuant to the Commission's Enforcement Priority System. *See e.g. MUR 4975* (Respondent quickly remedied yard signs lacking disclaimer indicating who paid for the communication and complaint was dismissed); *MUR 6032* (Respondent printed stickers and remedied yard signs after becoming aware of the lack of a disclaimer and complaint was dismissed as low-rated).

As noted above, Campaign staff were not alerted to the fact that the disclaimer language required on the billboards and yard signs was missing until approximately one month after distribution of signs began. As soon as the posting on the Internet drew the Campaign's attention to the problem, the Campaign moved quickly to remedy it, including sending volunteers out into the streets where yard signs were known to have been placed to put stickers on them. There was no conscious effort to evade the rules and, certainly, no advantage gained from the lack of the inadvertent disclosure. Indeed, all of the signs had Jeff Hartline's and the Campaign's website.

The Republican primary was held in Tennessee on August 5, 2010. Jeff Hartline finished second in that race and will not be advancing to the general election. Consequently, the Campaign is winding down and there is no chance of a repeat violation. There is little to be

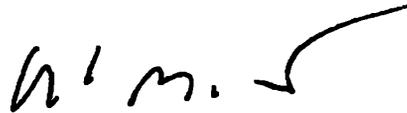
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gained from the FEC pursuing this matter further. The Campaign has otherwise attempted to conduct its campaign in a compliant fashion. Consequently, the Campaign requests that the FEC exercise its prosecutorial judgment and dismiss this matter.

CONCLUSION

For the foregoing reasons, the Campaign asks that the Commission exercise its prosecutorial discretion and dismiss this matter.

Respectfully submitted,



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RECEIVED
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FEC
FORM 1

STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FB4N5

MARTILINDA FOR CONGRESS 2010

ADDRESS (number and street) 11107 BREKIDAN COURT

(Check if address is changed)

MT. SUIBLET CA 95122

CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

(Check if address is changed)

COMMITTEES@MARTILINDAFORCONGRESS.COM

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed)

MARTILINDAFORCONGRESS.COM

2. DATE 01 05 2010

3. FEC IDENTIFICATION NUMBER C

4. IS THIS STATEMENT NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Phillip W. Meadows

Signature of Treasurer Phillip W. Meadows Date 01 08 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only For further information contact: Federal Election Commission Toll Free 800-424-9600 Local 202-694-1100

FEC FORM 1 (Revised 03/2008)

EXHIBIT 1

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6. TYPE OF COMMITTEE

Candidate Committee

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate JEFF MARTINE

Candidate Party Affiliation REP Office Sought: House Senate President State TN District 05

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

Party Committee:

- (d) This committee is a _____ (National, State or subordinate) committee of the _____ (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
 - Corporation Corporation with Capital Stock Labor Organization
 - Membership Organization Trade Association Cooperative
 In addition, this committee is a Lobbyist/Registrant PAC.

- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
 - In addition, this committee is a Lobbyist/Registrant PAC.
 - In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1. _____ FEC ID number C
2. _____ FEC ID number C
3. _____ FEC ID number C
4. _____ FEC ID number C

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Write or Type Committee Name

HARTLINE FOR CONGRESS

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Empty grid lines for organization name

Mailing Address

Empty grid lines for mailing address

CITY

STATE

ZIP CODE

Relationship: Connected Organization Affiliated Committee Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records.

Full Name JEFFERY ALAN HARTLINE

Mailing Address 11107 BREKIDAN COURT

MT JOLLET IN 37122

Title or Position

CITY

STATE

ZIP CODE

CANDIDATE

Telephone number 615-453-3959

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer PHILIP WYDE ARBONE

Mailing Address 1102 KNOX VALLEY DRIVE

BRENTWOOD TN 37027

Title or Position

CITY

STATE

ZIP CODE

TREASURER

Telephone number

11044284746 10030214579

Full Name of Designated Agent

Mailing Address

[Address line]

[Address line]

CITY

STATE

ZIP CODE

Title or Position

[Title or Position]

Telephone number

[Telephone number]

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

WILSON BANK & TRUST

Mailing Address

102 WEST MAIN STREET

[Address line]

LEBANON IN 15705

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

[Name of Bank, Depository, etc.]

Mailing Address

[Mailing Address]

[Mailing Address]

[Mailing Address]

CITY

STATE

ZIP CODE

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

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<input type="checkbox"/> USPS Express Mail	Postmarked
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<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
Next Business Day Delivery <input type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
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<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

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EXHIBIT
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HILLINER S 2010 OR THE PEOPLE ngress.com

Paid for by Hartline for Congress 2010, Phil Meadows, Treasurer

EXHIBIT

B